IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

FRIDAY, THE 20TH JULY 2007 / 29TH ASHADHA 1929

MFA.No. 995 of 2000()

OPMV.1733/1995 of MOTOR ACCIDENT CLAIMS TRIBUNAL, VADAKARA

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APPELLANT:

RAROTH KUNHAMMED, S/O ANDROOMAN,
AGED 21 YEARS, RAROTH HOUSE,
AYANCHERRY (P.O), PONMERI (VIA)
AYANCHERRY AMSOM, DESOM, BADAGARA
KOZHIKODE DISTRICT

BY ADV. SRI.SUNNY MATHEW

RESPONDENTS:

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1. K.N.PAKARAN S/O KUNHAMMED,
KATTUMPPATTA HOUSE,
AYANCHERRY (P.O)
PONMERI (VIA) KOZHIKODE DISTRICT
(OWNER OF BUS KRZ: 4424)

2. P.O UPENDRAN, S/O KOCHUMANI,
AGED 45 YEARS, NARANATH THAZHEKONIYIL
THIRUVALLOOR (P.O), VADAKARA (VIA)
KOZHIKODE DISTRICT
DRIVER OF BUS KRZ 4424

3. M/S UNITED INDIA INSURANCE COMPANY LTD.
BRANCH OFFICE, KALLINGAL BUILDING
3RD FLOOR, MAIN ROAD, BADAGARA

THIS MISC. FIRST APPEAL HAVING COME UP FOR ADMISSION ON 20/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.PADMANABHAN NAIR, J.

M.F.A No.995 of 2000

Dated this the 20th day of July 2007

JUDGMENT

The petitioner in O.P (MV) No. 1733 of 1995 of Motor Accident Claims Tribunal, Vadakara is the appellant. He sustained injuries in a motor vehicle accident. He filed a petition for compensation against the owner , driver and insurer of the vehicle. He claimed an amount of Rs. 100,000/- The Tribunal awarded a compensation of Rs. 22,325/- with 12% interest thereon from the date of petition till realisation . The only challenge in the appeal is regarding the inadequacy of the compensation awarded. The evidence on record shows that the petitioner sustained communited fracture of the femur tibia and fibula and other fleshing injuries. The Tribunal after considering all aspects awarded an amount of Rs. 22,325/- under different heads. The compensation awarded is reasonable and the quantum of compensation awarded does not require any interference. So there is no merit in the appeal and the same is only to be dismissed.

In the result the appeal is dismissed.

K.PADMANABHAN NAIR,JUDGE

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